

ORDINANCE NO. 2003 - 059

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE **TRANSPORTATION ELEMENT** (TO UPDATE LEVEL OF SERVICE (LOS) TABLES 1A AND 2A; AND TO UPDATE POLICY TE 1.1-N BUILDOUT ANALYSIS LISTING ADDITIONAL CORRIDORS TARGETED FOR THE CORRIDOR MASTER PLANS); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearings on June 13 & 27 and July 11, 2003, 2003 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on July 21, 2003 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received on October 8, 2003 the Department of Community Affairs "Objections, Recommendations, and Comments Report," dated October 3, 2003 which was the Department's written review of the proposed Comprehensive Plan amendments; and

WHEREAS, the written comments submitted by the Department of

Community Affairs contained no objections to the amendments contained in this ordinance;

WHEREAS, on November 24, 2003 the Palm Beach County Board of County Commissioners held a public hearing to review the written comments submitted by the Department of Community Affairs and to consider adoption of the amendments; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendments comply with all requirements of the Local Government Comprehensive Planning and Land Development Regulations Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Part I. Amendments to the 1989 Comprehensive Plan

Amendments to the text of the following Element of the 1989 Comprehensive Plan are hereby adopted and attached to this Ordinance in Exhibit 1:

- A. Transportation Element, to update Level of Service (LOS) Tables 1A and 2A;
- B. Transportation Element, to update Policy 1.1-n Buildout Analysis listing additional corridors targeted for the Corridor Master Plans; and
- C. Amending all elements as necessary for internal consistency.

Part II. Repeal of Laws in Conflict

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

Part III. Severability

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Part IV. Inclusion in the 1989 Comprehensive Plan

The provision of this Ordinance shall become and be made a part of the 1989 Palm Beach County Comprehensive Plan. The Sections of the Ordinance may be renumbered or relettered to accomplish such, and the

word "ordinance" may be changed to "section," "article," or any other appropriate word.

Part V. Effective Date

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184(1)(b), Florida Statutes, whichever is applicable. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team. An adopted amendment whose effective date is delayed by law shall be considered part of the adopted plan until determined to be not in compliance by final order of the Administration Commission. Then, it shall no longer be part of the adopted plan unless the local government adopts a resolution affirming its effectiveness in the manner provided by law.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, on the 24 day of November, 2003.

ATTEST:

DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, FLORIDA,

BY ITS BOARD OF COUNTY COMMISSIONERS

By: 

Deputy Clerk


Karen T. Marcus, Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY


COUNTY ATTORNEY

Filed with the Department of State on the 3 day of
December, 2003

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EXHIBIT 1

A. Transportation Element, Update of Level of Service Tables 1a and TE 2a

REVISIONS: To revise and update. The revision is shown below with the deleted text ~~struck out~~ and the added text underlined.

TABLE TE 1a
LEVEL OF SERVICE D Link Service Volumes

FACILITY TYPE		ADT	PK HOUR (Two-way)	Peak Season, Peak Hour, Peak Direction Service Volume	
				Class I	Class II
2 lanes undivided	2L	44,900 <u>12,300</u>	4,390 <u>1,170</u>	880 <u>690</u>	790 <u>650</u>
2 lanes one-way	2LO	49,500 <u>19,600</u>	4,840 <u>1,870</u>	2,220 <u>2,230</u>	2,050
3 lanes two-way	3L	45,600 <u>15,400</u>	1,460	920 <u>860</u>	830 <u>810</u>
3 lanes one-way	3LO	29,300 <u>29,500</u>	2,730 <u>2,810</u>	3,340 <u>3,350</u>	3,400 <u>3,080</u>
4 lanes undivided	4L	24,400 <u>24,500</u>	2,270 <u>2,330</u>	1,390 <u>1,400</u>	1,280
4 lanes divided	4LD	32,500 <u>32,700</u>	3,020 <u>3,110</u>	1,850 <u>1,860</u>	1,710
5 lanes two-way	5L	32,500 <u>31,100</u>	3,020 <u>2,950</u>	1,850 <u>1,770</u>	1,740 <u>1,620</u>
6 lanes divided	6LD	48,900 <u>49,200</u>	4,550 <u>4,680</u>	2,780 <u>2,790</u>	2,580 <u>2,570</u>
8 lanes divided	8LD	60,100 <u>63,800</u>	5,590 <u>6,060</u>	3,400 <u>3,540</u>	3,480 <u>3,330</u>
4 lanes expressway	4LX	66,200 <u>67,200</u>	5,800 <u>6,250</u>	3,340 <u>3,440</u>	
6 lanes expressway	6LX	101,600 <u>105,800</u>	8,900 <u>9,840</u>	5,080 <u>5,410</u>	
8 lanes expressway	8LX	138,600 <u>144,300</u>	12,200 <u>13,420</u>	6,930 <u>7,380</u>	
10 lanes expressway	10LX	173,200 <u>182,600</u>	15,200 <u>16,980</u>	8,660 <u>9,340</u>	

TABLE TE 2a
LEVEL OF SERVICE E Link Service Volumes

FACILITY TYPE		ADT	PK HOUR (Two-way)	Peak Season, Peak Hour, Peak Direction Service Volume	
				Class I	Class II
2 lanes undivided	2L	46,200 <u>13,000</u>	4,590 <u>1,240</u>	880 <u>710</u>	850 <u>680</u>
2 lanes one-way	2LO	20,600 <u>20,700</u>	4,940 <u>1,960</u>	2,220 <u>2,230</u>	2,170 <u>2,160</u>
3 lanes two-way	3L	47,000 <u>16,300</u>	4,580 <u>1,550</u>	920 <u>890</u>	890 <u>850</u>
3 lanes one-way	3LO	31,000 <u>31,100</u>	2,890 <u>2,950</u>	3,340 <u>3,350</u>	3,280 <u>3,250</u>
4 lanes undivided	4L	25,700 <u>25,900</u>	2,390 <u>2,450</u>	1,390 <u>1,400</u>	1,360 <u>1,350</u>
4 lanes divided	4LD	34,300 <u>34,500</u>	3,190 <u>3,270</u>	1,850 <u>1,860</u>	1,840 <u>1,800</u>
5 lanes two-way	5L	34,300 <u>32,800</u>	3,190 <u>3,110</u>	1,850 <u>1,770</u>	1,840 <u>1,710</u>
6 lanes divided	6LD	51,700 <u>51,800</u>	4,840 <u>4,920</u>	2,780 <u>2,790</u>	2,730 <u>2,710</u>
8 lanes divided	8LD	63,400 <u>67,000</u>	5,900 <u>6,360</u>	3,400 <u>3,540</u>	3,350 <u>3,500</u>
4 lanes expressway	4LX	81,700 <u>76,500</u>	7,200 <u>7,110</u>	4,090 <u>3,910</u>	
6 lanes expressway	6LX	125,400 <u>120,200</u>	11,000 <u>11,180</u>	6,270 <u>6,150</u>	
8 lanes expressway	8LX	171,100 <u>163,900</u>	15,100 <u>15,240</u>	8,550 <u>8,380</u>	
10 lanes expressway	10LX	213,800 <u>207,600</u>	18,800 <u>19,310</u>	10,690 <u>10,620</u>	

B. Transportation Element, Update of Policy TE 1.1-n – Buildout Analysis

REVISIONS: To revise and update. The revisions are numbered below, and shown with the added text underlined, and the deleted text ~~struck out~~.

OBJECTIVE 1.1 Level of Service Standards

Policy 1.1-n:

Buildout Analysis: In corridors where the adopted LOS will not be achieved pursuant to ...*[omitted for brevity]*

~~Initially the County, affected municipalities, and affected property owners shall develop Corridor Master Plans for the following:~~

- ~~1. Indiantown Road from I-95 to Alternate A-1-A.~~
- ~~2. Okeechobee Boulevard from Benoist Farms Road to Tamarind Avenue.~~
- ~~2. SR 7/ Lyons Road Corridor from Okeechobee Boulevard to Lake Worth Road.~~
- ~~3. 10th Avenue North from I-95 to Military Trail.~~

~~The County will identify in the Plan up to an additional 26 corridors by December 2003.~~

The County, affected municipalities, and affected property owners shall develop Corridor Master Plans for the following roadway segments:

- 10th Avenue North from I-95 to Kirk Road.
- 45th Street from Military Trail to Australian Avenue.
- Alternate AIA from US 1 to PGA Boulevard
- Atlantic Avenue from Turnpike to Jog Road.
- Beeline Highway from Jog Road to Blue Heron Boulevard.
- Blue Heron Boulevard from Beeline Highway to I-95.
- Boynton Beach Boulevard from Lyons Road to Jog Road.
- Congress Avenue from I-95 to Westgate Avenue.
- Forest Hill Boulevard from Southern Boulevard (SR 80) to Jog Road.
- Glades Road from Turnpike to NW 4th Avenue.
- Haverhill Road from Summit Boulevard to 10th Avenue North.
- Indiantown Road from I-95 to Alternate AIA.
- Jog Road from Belvedere Road to Lantana Road.
- Linton Boulevard from I-95 to US 1
- Lyons Road from Belvedere Road to Lake Worth Road.
- Military Trail from Blue Heron Boulevard to Roebuck Road.
- Northlake Boulevard from Military Trail to Old Dixie Highway.
- Northlake Boulevard from SR 7 to Beeline Highway
- Okeechobee Boulevard from Benoist Farms Road to Tamarind Avenue.
- Palmetto Park Road from Turnpike to NW 4th Avenue.
- PGA Boulevard from Turnpike to Prosperity Farms Road.
- Powerline Road from Palmetto Park Road to Broward County.
- Prosperity Farms Road from Hood Road to Northlake Boulevard.
- SR 7 from Okeechobee Boulevard to Lake Worth Road.
- US 1 from Martin County to Alternate AIA.
- US 1 from Linton Boulevard to Glades Road.
- US 1 from Ocean Drive to PGA Boulevard.
- US 1 from W. 13th Street to Quadrille Boulevard.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on November 24, 2003
DATED at West Palm Beach, FL on 12/17/03.
DOROTHY H. WILKEN, Clerk
By: Nancy Brown D.C.